

COOPER STATEMENT ON HASC HEARING ON LIBYA

The House Armed Services held a full committee hearing on US Military Operations in Libya with Secretary of Defense Robert Gates and the Chairman of the Joint Chiefs of Staff, Admiral Michael Mullen.

March 31, 2011

Thank you, Mr. Chairman, Secretary Gates, Admiral Mullen. Thank you for your service and, above all, thanks to our troops.

I have more of a statement than a question because my remarks deal with the Congressional role in this process.

I don't think it's been mentioned so far in this hearing today that the Senate, the U.S. Senate, on March 1 unanimously called for a no-fly zone over Libya. The House did not take similar action, but the Senate vote is at least some sign of Congressional involvement early on in this process, almost two weeks before the Libya conflict.

It's no secret that America is going through a period of domestic tension politically. It makes me yearn for the days when politics stopped at the water's edge, and we could rally behind the Commander-in-Chief.

There's been a lot of discussion today about the War Powers Act from some Members here who are still unfamiliar with it. As you pointed out, Mr. Secretary, every single President, Democrat or Republican, has questioned the constitutionality of that Act. If we had wanted to repair it, we've had years to do so. But Congress has not done that. There's a school of thought in the law that, although the War Powers Act was intended to limit Presidential power, it has, in fact, expanded it. Yet we in Congress have not amended that act since 1973.

Many people have wondered about the lack of adequate notice to this body. Well, the leadership in each party was informed promptly after the President's decision. So perhaps we should question our own contact with our own

party's leadership. But that has not been raised, at least so far, in this hearing.

I also think that you can see our Presidents age before our eyes, whether Democrat or Republican. For almost every year in office, it seems like they age ten years. The grey hair, the white hair quickly comes. They carry the weight of the world on their shoulders. They are privy to many things that we cannot discuss here, in an open hearing.

I'm all for Congress. We are an equal branch, but sometimes we do not take our responsibilities equally seriously with the chief executive of the land. That worries me because Congress should be more than a Congress of back-seat drivers, more than a Congress of armchair generals. You gentlemen have conducted your responsibilities ably and well under difficult circumstances. I worry that we, in this body, have not.

So, I'm hopeful on a going forward basis that we can examine some of these things such as not having declared a war since World War II. Vietnam was not an official war; Korea was not a war; so many of these other major conflicts were not official wars. We in Congress need to get our act together. This is not a criticism of you -- you gentlemen and the Executive Branch are working ably and well. We need to get our act together in the legislative branch.

So, thank you for your service. Above all, thanks to our troops. But in the interest of full disclosure in this hearing, we need to reflect on Congressional shortcomings as well. Thank you, gentlemen.

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To watch a video of Cooper's remarks, [click here](#).